

## Remarks

In the present response, no claims are amended. Claims 1-19, 27-29, and 31-32 are presented for examination.

### **I. Claim Rejections: 35 USC § 102(b)**

Claims 1-9, 11-19, 27-29, and 32 are rejected under 35 USC § 102(b) as being anticipated by USPN 6,842,149 (Taubman). Applicants respectfully traverse this rejection.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since Taubman neither teaches nor suggests each element in the claims, these claims are allowable over Taubman.

#### Claim 1

Independent claim 1 recites numerous recitations that are not taught or suggested in Taubman. As one example, claim 1 recites an electromagnetic shield disposed around the antenna. The Office Action cites Fig. 1 of Taubman for allegedly teaching this recitation. Applicants respectfully disagree.

Fig. 1 of Taubman shows a radiation shield 18 that covers RF transceiver chips 16, 17: “Because the mechanical package 10 is non-conductive, a radiation shield 18 must enclose the RF transceiver chips 16, 17, which are sensitive to stray electromagnetic radiation” (col. 1, lines 57-60). The radiation shield 18, however, is not disposed around the antenna 14. Nowhere does Taubman teach an electromagnetic shield disposed around the antenna as recited in claim 1.

In order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, “[t]he elements must be arranged as required by the claim,” see M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). For at least these reasons, independent claim 1 and its dependent claims are allowable over Taubman.

As another example, claim 1 recites an electromagnetic shield disposed around the antenna “to isolate the antenna from loading effects of components of the electrical

device that are external to the radio module.” Taubman does not disclose a shield around the antenna to isolate the antenna from loading effects. Instead, Taubman states the following in connection with Fig. 1A: “The antenna 14 must not be too close to electronic components on the printed circuit board 20 or to the radiation shield 18 to avoid affects on the antenna pattern” (col. 1, lines 62-64). Taubman positions the antenna away from electronic components to avoid radiation affects. By contrast, claim 1 recites disposing an electromagnetic shield around the antenna to isolate the antenna from loading effects of components of the electrical device that are external to the radio module.

There can be no difference between the claimed invention and the cited reference, as viewed by a person of ordinary skill in the art (see *Scripps Clinic & Research Foundation v. Genentech Inc.*, 927 F.2d 1565, 1576 (Fed. Cir. 1991)). For at least these reasons, independent claim 1 and its dependent claims are allowable over Taubman.

#### Claim 12

Independent claim 12 recites numerous recitations that are not taught or suggested in Taubman. As one example, claim 12 recites an electromagnetic shield extending from a printed circuit board around the antenna. The Office Action cites Fig. 1 of Taubman for allegedly teaching this recitation. Applicants respectfully disagree.

Fig. 1 of Taubman shows a radiation shield 18 that covers RF transceiver chips 16, 17: “Because the mechanical package 10 is non-conductive, a radiation shield 18 must enclose the RF transceiver chips 16, 17, which are sensitive to stray electromagnetic radiation” (col. 1, lines 57-60). The radiation shield 18, however, is not around the antenna 14. Nowhere does Taubman teach an electromagnetic shield extending from a printed circuit board around the antenna as recited in claim 12.

In order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, “[t]he elements must be arranged as required by the claim,” see M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). For at least these reasons, independent claim 12 and its dependent claims are allowable over Taubman.

As another example, claim 12 recites an electromagnetic shield around the antenna “to isolate the antenna from loading effects of components of the electrical

device that are external to the radio module.” Taubman does not disclose a shield around the antenna to isolate the antenna from loading effects. Instead, Taubman states the following in connection with Fig. 1A: “The antenna 14 must not be too close to electronic components on the printed circuit board 20 or to the radiation shield 18 to avoid affects on the antenna pattern” (col. 1, lines 62-64). Taubman positions the antenna away from electronic components to avoid radiation affects. By contrast, claim 12 recites an electromagnetic shield around the antenna to isolate the antenna from loading effects of components of the electrical device that are external to the radio module.

There can be no difference between the claimed invention and the cited reference, as viewed by a person of ordinary skill in the art (see *Scripps Clinic & Research Foundation v. Genentech Inc.*, 927 F.2d 1565, 1576 (Fed. Cir. 1991)). For at least these reasons, independent claim 12 and its dependent claims are allowable over Taubman.

#### Claim 27

Independent claim 27 recites numerous recitations that are not taught or suggested in Taubman. As one example, claim 27 is a method that recites disposing a shield around the antenna to establish the defined load on the antenna. The Office Action cites Fig. 1 of Taubman for allegedly teaching this recitation. Applicants respectfully disagree.

Fig. 1 of Taubman shows a radiation shield 18 that covers RF transceiver chips 16, 17: “Because the mechanical package 10 is non-conductive, a radiation shield 18 must enclose the RF transceiver chips 16, 17, which are sensitive to stray electromagnetic radiation” (col. 1, lines 57-60). The radiation shield 18, however, is not disposed around the antenna 14 to establish a defined load on the antenna 14. Nowhere does Taubman teach disposing a shield around the antenna as recited in claim 27.

In order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, “[t]he elements must be arranged as required by the claim,” see M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). For at least these reasons, independent claim 27 and its dependent claims are allowable over Taubman.

As another example, claim 27 recites disposing the shield around the antenna “to isolate the antenna from electrical noise generated by electrical components with in the

electrical device but external to the radio module.” Taubman does not disclose a shield around the antenna to isolate the antenna from electrical noise. Instead, Taubman states the following in connection with Fig. 1A: “The antenna 14 must not be too close to electronic components on the printed circuit board 20 or to the radiation shield 18 to avoid affects on the antenna pattern” (col. 1, lines 62-64). Taubman positions the antenna away from electronic components to avoid radiation affects. By contrast, claim 27 recites disposing a shield around the antenna to isolate the antenna from electrical noise generated by electrical components with in the electrical device but external to the radio module.

There can be no difference between the claimed invention and the cited reference, as viewed by a person of ordinary skill in the art (see *Scripps Clinic & Research Foundation v. Genentech Inc.*, 927 F.2d 1565, 1576 (Fed. Cir. 1991)). For at least these reasons, independent claim 27 and its dependent claims are allowable over Taubman.

## **II. Claim Rejections: 35 USC § 103(a)**

Claims 10 and 31 are rejected under 35 USC § 103(a) as being unpatentable over Taubman in view of US 2003/0119459 (Carillo). This rejection is traversed.

Dependent claim 10 depends from independent claim 1, and dependent claim 31 depends from independent claim 27. As discussed in section I, Taubman does not teach or even suggest all the elements of independent claims 1 and 27. Carillo fails to cure the deficiencies of Taubman. For at least the reasons given above in section I with respect to the respective independent claims, dependent claims 19 and 29 are allowable over Taubman in view of Carillo.

### **CONCLUSION**

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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